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12093/837

REISSUE APPLICATION DECLARATION

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in Patent No. 5,940,464, granted August 17, 1999 and for which a reissue patent is sought on the invention entitled **TUBE FOR A NUCLEAR FUEL ASSEMBLY, AND METHOD FOR MAKING SAME**, the specification of which was filed on July 21, 2003 as U.S. Serial No. 10/624,757.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

- A. by reason of a defective specification or drawing.
- B. by reason of the patentees claiming more or less than they had the right to claim in the patent.
- C. by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

The error for which correction via this reissue is sought is that the transition phrase in claim 1, which reads "containing, by weight", results in a claim coverage that is more than what the patentees are entitled to claim.

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

Number	Country filed	Day/month/year	Priority Claimed Under 35 USC 119
95/09166	France	27 July 1995	Yes

As a named inventor, I hereby appoint the following attorneys) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

<u>Names</u>	<u>Registration No.</u>
Richard L. Mayer	22,490
Patrick J. Birde	29,770
Jeffrey M. Butler	41,652
Dervis Magistre	41,172
John M. Vereb	48,912

Correspondence Address: Direct all communications about the application to:

Richard L. Mayer, Esq.
KENYON & KENYON
One Broadway
New York, New York 10004
212 425-7200

26646
PATENT TRADEMARK OFFICE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

FULL NAME OF INVENTOR	FAMILY NAME MARDON	FIRST GIVEN NAME JEAN-PAUL	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY Caluire	STATE OR FOREIGN COUNTRY France	COUNTRY OF CITIZENSHIP France
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Signature	<i>Mardon Jr.</i>	Date	

FULL NAME OF INVENTOR	FAMILY NAME SENEVAT	FIRST GIVEN NAME Jean	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY ANNECY	STATE OR FOREIGN COUNTRY France	COUNTRY OF CITIZENSHIP France
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Signature		Date	1109

FULL NAME OF INVENTOR	FAMILY NAME CHARQUET	FIRST GIVEN NAME Daniel	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY UGINE	STATE OR FOREIGN COUNTRY France	COUNTRY OF CITIZENSHIP France
POST OFFICE ADDRESS	POST OFFICE ADDRESS c/o Cezus Centre de Recherche d'Ugine	CITY 73400 Ugine Cedex	STATE & ZIP CODE/COUNTRY France
Signature	<i>Charquet</i>		
	Date		

FEB 0 4 2004



**U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE**

**CONSENT OF ASSIGNEE OF ENTIRE INTEREST
UNDER 37 C.F.R. § 1.172**

Attorney Docket No.
12093/837

Reissue Applicants JEAN-PAUL MARDON; JEAN SENEVAT; and DANIEL CHARQUET	Application No. To Be Assigned	Filing Date Herewith	
United States Letters Patent No. 5,940,464	Issued August 17, 1999	Examiner To Be Assigned	Art Unit To Be Assigned
Title TUBE FOR A NUCLEAR FUEL ASSEMBLY, AND METHOD FOR MAKING SAME	Assignee FRAMATOME ANP		

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FRAMATOME ANP, a company having a place of business at Courbevoie, France, is the sole owner of the entire right, title, and interest in and to United States Letters Patent No. 5,940,464 (as established by the Submission Establishing Ownership Under 37 C.F.R. § 3.73(b) that is being filed concurrently with this written consent), and hereby consents to the filing of the application and any related continuation and/or divisional applications under 35 U.S.C. § 251 for a reissue patent(s) for United States Letters Patent No. 5,940,464.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

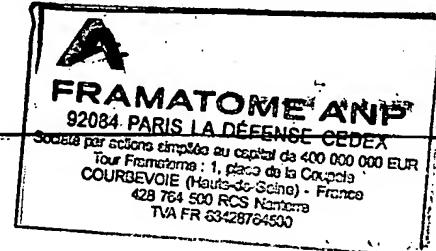
**FRAMATOME ANP
Courbevoie, France**

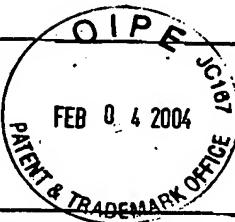
Dated: 31.07.2003

By: M. Bensadoun

Name: BENSADOUN Moncef

Title: General Counsel





**U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE**

SUBMISSION ESTABLISHING OWNERSHIP UNDER 37 C.F.R. § 3.73(b)		Attorney Docket No. 12093/837	
Reissue Applicants JEAN-PAUL MARDON; JEAN SENEVAT; and DANIEL CHARQUET	Application No. To Be Assigned	Filing Date Herewith	
Patent Number 5,940,464	Issued August 17, 1999	Examiner To Be Assigned	Art Unit To Be Assigned
Title TUBE FOR A NUCLEAR FUEL ASSEMBLY, AND METHOD FOR MAKING SAME		Assignee FRAMATOME ANP	

Mail Stop Reissue
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

FRAMATOME ANP, a company having a place of business at Courbevoie, France, respectfully submits that it is the sole owner of the entire right, title, and interest in and to United States Letters Patent No. 5,940,464.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee Framatome ANP. The original assignment from Jean-Paul Mardon, Jean Senevat and Daniel Charquet to Framatome and Compagnie Generale Des Matieres Nucleaires was recorded on April 20, 1998 under Reel No. 009149 and Frame No. 0711-0713; an Assignment from Compagnie Generale Des Matieres Nucleaires to Framatome was recorded on December 3, 2001 under Reel No. 012322 and Frame No. 0977; and an Assignment from Framatome to Framatome ANP was recorded on March 25, 2002, under Reel/ No. 012744 and Frame No. 0606.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

I declare that all of the above statements made based on my own knowledge are true and that all of the above statements that were made on information and belief are believed to be true, and further declare that these statements are made with the knowledge that knowing, willful and materially false statements, as are defined under Section 1001 of Title 18 of the United States Code, are punishable by fine, imprisonment, or both under Section 1001, and that such statements may affect the validity of the application, any patent issuing thereon or any patent to which this declaration is directed.

FRAMATOME ANP

Dated: 31.07.2003

By:

D. BernardName: BENGADOUN Maurice

Title:

General Counsel

FEB 04 2004

**U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE**

**OFFER TO SURRENDER ORIGINAL
PATENT UNDER 37 C.F.R. § 1.178**

Attorney Docket No.
12093/837

Reissue Applicants
JEAN-PAUL MARDON;
JEAN SENEVAT; and
DANIEL CHARQUET

Application No.
To Be Assigned

Filing Date
Herewith

United States Letters Patent No.
5,940,464

Issued
August 17, 1999

Examiner
To Be Assigned

Art Unit
To Be Assigned

Title

TUBE FOR A NUCLEAR FUEL ASSEMBLY,
AND METHOD FOR MAKING SAME

Assignee
FRAMATOME ANP

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FRAMATOME ANP, a company having a place of business at Courbevoie, France, is the sole owner of the entire right, title, and interest in and to United States Letters Patent No. 5,940,464 (as established by the Submission Establishing Ownership Under 37 C.F.R. § 3.73(b) that is being filed concurrently with this written offer), and hereby offers to surrender the original patent in accordance with 37 C.F.R. § 1.178.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

FRAMATOME ANP
Courbevoie, France

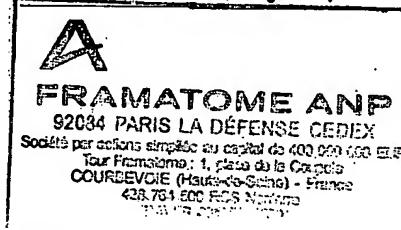
Dated: 31.07.2003

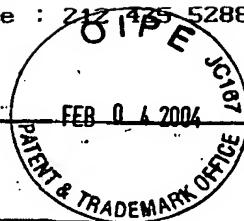
By:



Name: BENSADOUN Mounir

Title: General Counsel





**U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE**

**APPOINTMENT OF POWER OF ATTORNEY
BY ASSIGNEE OF ENTIRE INTEREST**

Attorney Docket No.
12093/837

Reissue Applicants
JEAN-PAUL MARDON;
JEAN SENEVAT; and
DANIEL CHARQUET

Application No.

To Be Assigned

Filing Date

Herewith

Reissue of United States Letters Patent No.
5,940,464

Issued

August 17, 1999

Examiner

To Be Assigned

Art Unit

To Be Assigned

Title
TUBE FOR A NUCLEAR FUEL ASSEMBLY,
AND METHOD FOR MAKING SAME

Assignee

FRAMATOME ANP

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FRAMATOME ANP, as assignee of the entire right, title, and interest in the application for a reissue patent(s) under 35 U.S.C. § 251 of United States Letters Patent No. 5,940,464, entitled TUBE FOR A NUCLEAR FUEL ASSEMBLY, AND METHOD FOR MAKING SAME, appoints Richard L. Mayer, Reg. No. 22,490; Patrick J. Birde, Reg. No. 29,770; Jeffrey M. Butler, Reg. No. 41,652; and Dervis Magistre, Reg. No. 41,172, as its attorneys/agents with full power of substitution and revocation, to prosecute this application and any related continuation and/or divisional applications, and to transact all related business in the United States Patent and Trademark Office. Please address all communications regarding this application to:

KENYON & KENYON
One Broadway
New York, New York 10004

26646

PATENT TRADEMARK OFFICE

Please direct all telephone calls to Richard L. Mayer at (212) 425-7200.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

FRAMATOME ANP
Courbevoie, France

Dated: 31.07.2003

By:



Name: BENSADOUN Maurice

Title: General Counsel

